



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masanobu NINOMIYA et al.

Group Art Unit: 1756

Application No.: 09/722,828

Examiner: J. Dote

Filed: November 28, 2000

Docket No.: 107971

For: TONER FOR DEVELOPING ELECTROSTATIC LATENT IMAGE, TWO-COMPONENT DEVELOPER, AND IMAGE-FORMING PROCESS

#9
AW
9-16-02

TERMINAL DISCLAIMER--COPENDING APPLICATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

Your Petitioner, Fuji Xerox Co., Ltd., represents that it is the owner of a 100% interest in the above-captioned patent application by virtue of an Assignment filed November 28, 2000 and recorded at Reel 011320, Frame 0713. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of any U.S. Patent to issue on copending U.S. Patent Application No. 09/706,800 and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-captioned application, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Our Check No. 134177 in the amount of \$110.00 is attached in accordance with 37 CFR 1.20(d). The U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect filing of this Terminal Disclaimer.

DATE: September 9, 2002

SIGNED:

TYPED NAME:

William P. Berridge

TITLE OR REGISTRATION NO.

OF ATTORNEY OF RECORD:

30,024

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